

PREAMBLE:

Lyndoch Living will use all reasonable efforts to protect the privacy of individuals' personal information and to comply with the obligations imposed by the *Privacy Act 1988* (Cth) (**Privacy Act**), the Australian Privacy Principles (**APP**), the *Aged Care Act 1997* and the Aged Care Principles.

This policy applies to residents/consumers, clients, all staff (including contracted agency staff, volunteers and students) (referred to in the Policy as "workforce" and/or "employees"). Lyndoch Living will only collect personal information by lawful and fair means, and will only collect personal information that is necessary for one or more of our organisation's functions or activities. If it is reasonable and practicable to do so, we will collect personal information about an individual only from that individual.

In meeting our obligations with respect to the privacy of our clients, Lyndoch Living will acknowledge that people with vision or hearing impairments, and those of culturally and linguistically diverse people, may require special consideration.

Our workforce has access to a range of information pertaining to employees, residents/consumers, clients, external contractors, and business activities of the organisation. This information is confidential and is not to be relayed without appropriate authorisation, and in accordance with the *Privacy and Data Protection Act 2014* (Vic).

POLICY STATEMENT:

Your privacy is important to us. This Policy explains how Lyndoch Living (referred to in this Policy as "us", "our", or "we") manages the personal information collected. Lyndoch Living is committed to managing the confidentiality of information generated by the organisation about its workforce, consumers and clients, plus business activities deemed confidential.

Information relating to employees, residents/consumers, clients and Lyndoch's activities is confidential and is not to be relayed without appropriate authority. Breach of confidentiality is serious and will result in disciplinary action and/or dismissal or where necessary legal action.

Intellectual Property the legally recognised outcome of creative effort and economic investment in creative effort. This includes patents and applications, know-how, confidential information and trade secrets, computer programs, source codes, designs, copyright, circuit layout rights, trademarks, and applications for registration of trademarks and any contractual rights which may exist in relation to any innovation or work. Intellectual Property can result from a work, a product or a process.

Moral Rights Moral Rights are a form of IP rights held by an author of a work. An author (or creator) of a work can give consent for a work to be used in a way that might breach their moral rights. Moral Rights are set out in the Copyright Act 1968 (Cth). They are:

- The right of attribution: this provides that the creator of a work must be identified as such whenever a work is reproduced, published, performed or adapted;
- The right not to have authorship falsely attributed: this means that, in any reproduction or use of a work, there is a duty to the author of the work not to

- insert another person's name in or on the work in such a way as to suggest falsely that the other person is the author; and
- The right of integrity: this is a right to prevent derogatory treatment of a work that is detrimental to the author's honour or reputation.

All employees are required to inform the Chief Executive Officer of any work which may result in the development or creation of Intellectual Property. Where an employee develops Intellectual Property either in the course of their employment or by using resources, the Intellectual Property rights will be owned by Lyndoch Living. The only significant exception to this rule is where a third party also contributes resources to the development of Intellectual Property or where the use of resources would result in ownership being vested in Lyndoch Living only by reason of work being written or stored on computer equipment it owns.

Lyndoch Living has the right to determine the development and commercial exploitation of its Intellectual Property rights, including branding and trademarks. The development and commercialisation of any Intellectual Property rights will take place in consultation with the creators whilst they remain employees at Lyndoch Living and are willing to be involved in such projects. Lyndoch Living may require its employees upon reasonable request to confirm the organisation's ownership of any Intellectual Property that was created by them in the course of their employment by Lyndoch Living.

Employees must comply with any such request. In these situations, Lyndoch Living may also require employees who create Intellectual Property to give consent to the exploitation of Intellectual Property in circumstances that would otherwise breach the employee's Moral Rights in the work.

Copyright and Trademarks

Unless otherwise specified, all copyright, Trademarks (identified by TM or ®) and intellectual property rights in the Website/social media platforms and their content and printed materials are the property of Lyndoch Living. You must not copy, reproduce, distribute, publish, sell or modify the information in any way without our prior written consent. You may not use the information on our Websites/social media platforms or any of our products or services for any purpose that violates local, State, Commonwealth or international laws or regulations.

If we believe that your use of the Websites/social media platforms, may break the law or that you have not complied with these terms and conditions of use, we may warn you by e-mail, suspend your access to the Websites/social media platforms, or other services with or without notice, or notify and provide relevant information to the authorities, as appears appropriate in the circumstance. Lyndoch Living maintains its right to deny anyone access to the Websites/social media platforms and services, at its discretion.

Information Lyndoch Living collects:

Lyndoch Living collects personal information in order to provide residential aged care services to comply with the Aged Care Act 1997 (Cth). If there is information about you that you do not want collected, please tell us. We will talk to you about any consequences of not providing this information. We may also use personal information for related purposes such as administration, training, assessments and reviews, or other purposes permitted by law. We usually collect the following kinds of information about residents/consumers:

- Name, address, phone number and date of birth
- Information provided by Aged Care Assessment Teams

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Type	Policy
Items Revised	Comprehensive revision
Authorised By	CEO

- Health information, including information provided by GPs, specialists and hospitals
- Next of kin or authorised representative
- Financial information such as income, assets and pension status
- Medicare number and pension number

Other activities:

Lyndoch Living also collects personal information from other people, such as job applicants, employees, volunteers and contractors. The information we collect depends on the type of relationship we have with you. This may include:

- Contact and personal details (e.g. name, address, phone, email, TFN, bank account etc.)
- Work history and referee checks
- Medical history (where relevant)
- Police check and working with children check
- Professional registrations (where applicable)

Privacy and the internet:

You are entirely responsible for any and all activities that occur via the Internet relating to your access to the website. We exercise no direct supervision of data content transmitted via the Websites/social media platforms. The responsibility for user access and subsequent transmissions and all possible consequences lie with either you or the sender of the transmission. We are not responsible for any errors in content submitted by you to or submitted by a third party, either authorised or unauthorised to the Websites/social media platforms, nor are we responsible for any errors that could or may be contained in any of the information provided within the Websites/social media platforms. We are committed to providing reasonable controls to protect the Websites against foreseeable hazards such as (but not limited to) unauthorised access, software contamination, computer hacking, destruction, misuse, modifications, and improper disclosure. However, no computer system or information can ever be fully protected and you agree to accept the risk of transmitting information via the Websites/social media platforms. By using the Websites/social media platforms you acknowledge that we are not liable in these circumstances.

If you send us an email message requesting information, we will use your email address and other information you supply to respond to your request. If you choose to receive any of our updates via email, we will only use the details you have provided for the service you have chosen. You are able to unsubscribe at any time. Personal information will be retained only for as long as necessary to fulfil the purpose for which the information was collected, or by law.

This website may store cookies on your web client in order to better serve you upon your subsequent visits to this website. By using cookies, websites can track information about visitors' usage of the site, provide customised content or even the use of password protection. Note that some browsers can be configured to allow cookies to be accessed by servers other than the originating server. "Cookies" are a standard for storing small pieces of data on a web client (i.e. the web browser on your computer). Any web server (including this one) may:

- Store one or more cookies in your browser; or
- Request your browser to transmit the data to the web server.

We may engage various analytic programs, including but not limited to Facebook, and Google Analytics to analyse the performance of our websites and social media platforms and to provide us with reports that contain aggregated, de-identified information that helps us to understand how you use our websites or social media platforms. We may also use Google features (including Google Impressions Reporting, and Google Analytics Demographics and Interest Reporting) on our websites and social media platforms. Google Analytics uses both first party and third party cookies to record internet traffic information such as when, and how many times, you have visited our website or apps. We and some third parties, (including Google, Facebook, LinkedIn, and Instagram), also use the information to improve advertising selection for groups of individuals based on demographic information. The cookies allow us and other third parties (including Google, Facebook, LinkedIn, and Instagram) to evaluate your interactions with advertising services on our websites/social media platforms and serve targeted advertising on those websites and apps and across the Internet. We have enabled Google Analytic features.

- You can manage your Social Media platform settings at any time and customize your advertising preferences by following the instructions on their settings page
- By using Google settings, you can opt out of and customise your Google features
- For more general information about how to opt out of cookies being used by third party ad servers visit www.networkadvertising.org/choices.

Our website/social media platforms may contain links to the websites of other organisations. We are not responsible for the privacy practices of the organisations whose websites you have accessed through these links. These organisations are responsible for their own privacy practices and you should check their privacy statements before providing any personal information to them. The links are provided for convenience only and do not represent any endorsement or approval by us of the information, products or services displayed or offered on the Third Party Websites.

Complaints

If you have a complaint about how your personal information is managed, you can speak to a staff member. If you would like to make a written complaint, please ask a staff member for a feedback form or address your concerns to ceo@lyndoch.org.au.

RELATED DOCUMENTS

Associated documents that should be read in conjunction with this policy are:

- [Privacy](#) procedure
- [Policy 31 – Media, Public Comment and Official Printed Material](#)
- [Vocera Communication Guidelines](#)
- [Consent to Use or Disclose Information](#)

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